

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

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U.S. DISTRICT COURT
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TEXAS-EASTERN

STEPHEN LARREW

V.

STUART B. WOLFE, ET AL.

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§

BY
CASE NO. 4:05CV354
(Judge Schell /Judge Bush)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On October 13, 2005, the Report of the Magistrate Judge was entered containing his proposed findings of fact and recommendation that Plaintiff's request for preliminary injunction be denied. Thereafter, on October 26, 2005, the Magistrate Judge filed a Report recommending that Defendants Primary Residential Mortgage, Inc., Mortgage Electronic Registration Systems, Inc., Aurora Loan Services, Inc., Codilis & Stawiarski, P.C., and Pat Stephens' Motion to Dismiss pursuant to Rule 12(b)(6) (Docket #12) be granted. And on October 28, 2005, the Magistrate Judge recommended that the Wolfe Defendants' 12(b)(2) Motion to Dismiss (Docket #11) be granted.

Having received the reports of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court. It is, therefore,

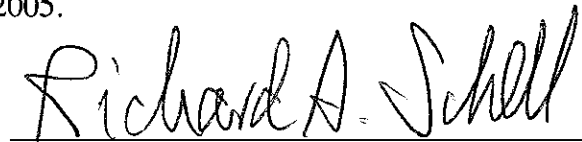
ORDERED, ADJUDGED and DECREED that Plaintiff's request for preliminary injunction is **DENIED**. It is further

ORDERED that Defendants Primary Residential Mortgage, Inc., Mortgage Electronic

Registration Systems, Inc., Aurora Loan Services, Inc., Codilis & Stawiarski, P.C., and Pat Stephens' Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) is **GRANTED** and all claims against said Defendants are **DISMISSED**. It is finally

ORDERED the Stewart B. Wolfe and Wolfe & Wyman, LLP's Motion to Dismiss for Lack of Personal Jurisdiction Under Federal Rule of Civil Procedure 12(b)(2) is **GRANTED** and all claims against said Defendants are **DISMISSED**.

SIGNED this 18th day of November, 2005.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive style with a horizontal line underneath the name.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE